

description of the property is by reference to a plan on an earlier deed, the purchaser can demand a copy of the plan on the earlier deed free of charge. If the deed forming the root of title itself has a 'plan, this plan must be copied and attached to the abstract. If the same plan appears on any subsequent deeds, it is not usual to attach further copies, but to add a note that "The plan is the same as the plan drawn on (or attached to) the before abstracted (Conveyance) of the day of 19..."

Abstracting Wills

While nearly every solicitor will probably continue to abstract wills under which either the land itself passes by description or there is a general gift of all property (which would include the particular land) it is strictly unnecessary in law to abstract the will. The vendor is only required to abstract such documents of title as pass the legal estate, and when he is selling as the personal representative of a deceased owner the Grant of Probate (or Administration) is the only document under which the legal estate becomes vested in him, and an abstract of the will (and also even proof of death of the testator or intestate) is unnecessary.

Tenancy Agreements

If there are any subsisting leases, underleases or

tenancy agreements of the property,
particulars of
them should be abstracted, even
where they date
back to before the root of title.

Equitable Charges

Equitable charges, i.e. documents
which do not